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1 AMENDMENT TO HOUSE BILL 2414

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2414, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Criminal Code of 1961 is amended by adding  
6 Sections 24-1.8 and 24-1.9 as follows:

7 (720 ILCS 5/24-1.8 new)

8 Sec. 24-1.8. Manufacture, possession, and delivery of  
9 semiautomatic assault weapons, assault weapon attachments, and  
10 .50 caliber rifles.

11 (a) Definitions. In this Section:

12 (1) "Semi-automatic assault weapon" means:

13 (A) any of the firearms or types, replicas, or  
14 duplicates in any caliber of the firearms, known as:

15 (i) Norinco, Mitchell, and Poly Technologies  
16 Avtomat Kalashnikovs (all models);

17 (ii) Action Arms Israeli Military Industries  
18 UZI and Galil;

19 (iii) Beretta AR-70 (SC-70);

20 (iv) Colt AR-15;

21 (v) Fabrique Nationale FN/FAL, FN/LAR, and  
22 FNC;

23 (vi) SWD M-10, M-11, M-11/9, and M-12;

24 (vii) Steyr AUG;

1           (viii) INTRATEC TEC-9, TEC-DC9, and TEC-22;

2           and

3           (ix) any shotgun which contains its ammunition  
4           in a revolving cylinder, such as (but not limited  
5           to) the Street Sweeper and Striker 12;

6           (B) a semiautomatic rifle that has an ability to  
7           accept a detachable magazine and has any of the  
8           following:

9           (i) a folding or telescoping stock;

10          (ii) a pistol grip that protrudes  
11          conspicuously beneath the action of the weapon; or

12          (iii) a flash suppressor or barrel having a  
13          threaded muzzle;

14          (C) a semi-automatic pistol that has an ability to  
15          accept a detachable magazine and has any of the  
16          following:

17          (i) an ammunition magazine that attaches to  
18          the pistol outside of the pistol grip;

19          (ii) a barrel having a threaded muzzle;

20          (iii) a shroud that is attached to, or  
21          partially or completely encircles the barrel, and  
22          that permits the shooter to hold the firearm with  
23          the non-trigger hand without being burned;

24          (iv) a manufactured weight of 50 ounces or more  
25          when the pistol is unloaded; or

26          (v) a semiautomatic version of an automatic  
27          firearm;

28          (D) a semiautomatic shotgun that has any of the  
29          following:

30          (i) a folding or telescoping stock;

31          (ii) a pistol grip that protrudes  
32          conspicuously beneath the action of the weapon,  
33          except for a grip that is part of or mounted on a  
34          weapon with a butt stock;

1           (iii) a fixed magazine capacity in excess of 5  
2           rounds; or

3           (iv) an ability to accept a detachable  
4           magazine.

5           "Semiautomatic assault weapon" does not include:

6           (A) any firearm that:

7           (i) is manually operated by bolt, pump, lever  
8           or slide action;

9           (ii) is an "unserviceable firearm" or has been  
10           made permanently inoperable;

11           (iii) is an antique firearm; or

12           (iv) is lawful for any hunting use permitted  
13           under the Wildlife Code;

14           (B) any semiautomatic rifle that cannot accept a  
15           detachable magazine that holds more than 5 rounds of  
16           ammunition;

17           (C) any semiautomatic shotgun that cannot hold  
18           more than 5 rounds of ammunition in a detachable  
19           magazine; or

20           (D) any air rifle as defined in Section 1 of the  
21           Air Rifle Act.

22           (2) "Assault weapon attachment" means any device  
23           capable of being attached to a firearm that is specifically  
24           designed for making or converting a firearm into any of the  
25           firearms listed in paragraph (1) of subsection (a) of this  
26           Section.

27           (3) "Antique firearm" has the meaning ascribed to it in  
28           18 U.S.C. Section 921(a)(16).

29           (4) ".50 caliber rifle" means a centerfire rifle  
30           capable of firing a .50 caliber cartridge. The term does  
31           not include any antique firearm as defined in 18 U.S.C.  
32           Section 921(a)(16), any shotgun including a shotgun that  
33           has a rifled barrel, or a muzzle-loader used for "black  
34           powder" hunting or battle re-enactments.

1           (5) ".50 caliber cartridge" means a cartridge in .50  
2           caliber, either by designation or actual measurement,  
3           including but not limited to a .50 BMG cartridge, that is  
4           capable of being fired from a centerfire rifle. The term  
5           ".50 caliber cartridge" does not include any memorabilia or  
6           display item that is filled with a permanent inert  
7           substance or that is otherwise permanently altered in a  
8           manner that prevents ready modification for use as live  
9           ammunition or shotgun ammunition with a caliber  
10           measurement that is equal to or greater than .50 caliber.

11           (b) Except as provided in subsections (c) and (d), 90 days  
12           after the effective date of this amendatory Act of the 94th  
13           General Assembly, it is unlawful for any person within this  
14           State, to knowingly manufacture, deliver, sell, purchase, or  
15           possess or cause to be manufactured, delivered, sold,  
16           purchased, or possessed, a semiautomatic assault weapon, an  
17           assault weapon attachment, or any .50 caliber rifle.

18           (c) This Section does not apply to a person who possessed a  
19           weapon or attachment prohibited by subsection (b) before the  
20           effective date of this amendatory Act of the 94th General  
21           Assembly. On or after the effective date of this amendatory Act  
22           of the 94th General Assembly, such person may transfer such  
23           weapon or attachment only to an heir, an individual residing in  
24           another state maintaining that weapon in another state, or a  
25           dealer licensed as a federal firearms dealer under Section 923  
26           of the federal Gun Control Act of 1968.

27           (d) This Section does not apply to or affect any of the  
28           following:

29           (1) Peace officers as defined in Section 2-13 of this  
30           Code and retired peace officers not otherwise prohibited  
31           from receiving a firearm, in possession of a semiautomatic  
32           assault weapon, assault weapon attachment, or .50 caliber  
33           rifle transferred to the retired peace officer by his or  
34           her law enforcement agency upon retirement.

1           (2) Wardens, superintendents, and keepers of prisons,  
2           penitentiaries, jails, and other institutions for the  
3           detention of persons accused or convicted of an offense.

4           (3) Members of the Armed Services or Reserve Forces of  
5           the United States or the Illinois National Guard, while in  
6           the performance of their official duties or while traveling  
7           to or from their place of duty.

8           (4) Manufacture, transportation, or sale of weapons or  
9           attachments to persons authorized under subdivisions (1)  
10           through (3) of this subsection to possess those items, if  
11           the items are broken down in a non-functioning state or are  
12           not immediately accessible.

13           (5) Possession of a semi-automatic assault weapon, an  
14           assault weapon attachment, or a .50 caliber rifle at events  
15           taking place at the World Shooting and Recreational Complex  
16           at Sparta, only while engaged in the legal use of the  
17           firearm, or while traveling to or from this location.

18           (6) Possession of any firearm, as that term is defined  
19           in Section 1.1 of the Firearm Owners Identification Card  
20           Act, that is sanctioned by the International Olympic  
21           Committee and by USA Shooting, the national governing body  
22           for international shooting competition in the United  
23           States, and that is used for Olympic target shooting  
24           purposes, and that would otherwise fall within the  
25           definition of "semi-automatic assault weapon" pursuant to  
26           this Section.

27           (e) Sentence.

28           (1) A person who knowingly manufactures, delivers,  
29           sells, purchases, or possesses or causes to be  
30           manufactured, delivered, sold, purchased, or possessed a  
31           semiautomatic assault weapon in violation of this Section  
32           commits a Class 3 felony for a first violation and a Class  
33           2 felony for a second or subsequent violation or for the  
34           possession or delivery of 2 or more of these weapons at the

1 same time.

2 (2) A person who knowingly manufactures, delivers,  
3 sells, purchases, or possesses or causes to be  
4 manufactured, delivered, sold, purchased, or possessed in  
5 violation of this Section an assault weapon attachment  
6 commits a Class 4 felony for a first violation and a Class  
7 3 felony for a second or subsequent violation.

8 (3) A person who knowingly manufactures, delivers,  
9 sells, purchases, or possesses or causes to be  
10 manufactured, delivered, sold, purchased, or possessed in  
11 violation of this Section a .50 caliber rifle commits a  
12 Class 3 felony for a first violation and a Class 2 felony  
13 for a second or subsequent violation or for the possession  
14 or delivery of 2 or more of these weapons at the same time.

15 (720 ILCS 5/24-1.9 new)

16 Sec. 24-1.9. Manufacture, possession, and delivery of  
17 large capacity ammunition feeding devices.

18 (a) As used in this Section:

19 "Large capacity ammunition feeding device" means:

20 (1) a magazine, belt, drum, feed strip, or similar  
21 device that has a capacity of, or that can be readily  
22 restored or converted to accept, more than 10 rounds of  
23 ammunition; or

24 (2) any combination of parts from which a device  
25 described in paragraph (1) can be assembled.

26 "Large capacity ammunition feeding device" does not  
27 include an attached tubular device designed to accept, and  
28 capable of operating only with, .22 caliber rimfire ammunition  
29 or any device that has been made permanently inoperable.

30 (b) Except as provided in subsections (c) and (d), it is  
31 unlawful for any person within this State, beginning 90 days  
32 after the effective date of this amendatory Act of the 94th  
33 General Assembly, to knowingly manufacture, deliver, sell,

1 purchase, or possess or cause to be manufactured, delivered,  
2 sold, purchased, or possessed, a large capacity ammunition  
3 feeding device.

4 (c) This Section does not apply to a person who possessed a  
5 device prohibited by subsection (b) before the effective date  
6 of this amendatory Act of the 94th General Assembly. On or  
7 after the effective date of this amendatory Act of the 94th  
8 General Assembly, such person may transfer such device only to  
9 an heir, an individual residing in another state maintaining  
10 that weapon in another state, or a dealer licensed as a federal  
11 firearms dealer under Section 923 of the federal Gun Control  
12 Act of 1968.

13 (d) This Section does not apply to or affect any of the  
14 following:

15 (1) Peace officers as defined in Section 2-13 of this  
16 Code and retired peace officers not otherwise prohibited  
17 from receiving a firearm, in possession of a large capacity  
18 ammunition feeding device transferred to the retired peace  
19 officer by his or her law enforcement agency upon  
20 retirement.

21 (2) Wardens, superintendents and keepers of prisons,  
22 penitentiaries, jails and other institutions for the  
23 detention of persons accused or convicted of an offense.

24 (3) Members of the Armed Services or Reserve Forces of  
25 the United States or the Illinois National Guard, while in  
26 the performance of their official duties or while traveling  
27 to or from their place of duty.

28 (4) Manufacture, transportation, or sale of large  
29 capacity ammunition feeding devices to persons authorized  
30 under subdivisions (1) through (3) of this subsection to  
31 possess those devices, if the devices are broken down in a  
32 non-functioning state or are not immediately accessible.

33 (5) Possession of a large capacity ammunition feeding  
34 device at events taking place at the World Shooting and

1       Recreational Complex at Sparta, only while engaged in the  
2       legal use of the firearm, or while traveling to or from  
3       this location.

4       (e) Sentence. A person who knowingly manufactures,  
5       delivers, sells, purchases, or possesses or causes to be  
6       manufactured, delivered, sold, purchased, or possessed in  
7       violation of this Section a large capacity ammunition feeding  
8       device capable of holding more than 17 rounds of ammunition  
9       commits a Class 3 felony for a first violation and a Class 2  
10      felony for a second or subsequent violation or for possession  
11      or delivery of 2 or more of these devices at the same time. A  
12      person who knowingly manufactures, delivers, sells, purchases,  
13      or possesses or causes to be manufactured, delivered, sold,  
14      purchased, or possessed in violation of this Section a large  
15      capacity ammunition feeding device capable of holding more than  
16      10 rounds but not more than 17 rounds of ammunition commits a  
17      Class 4 felony for a first violation and a Class 3 felony for a  
18      second or subsequent violation or for possession or delivery of  
19      more than one of these devices at the same time.

20       Section 95. Severability. The provisions of this Act are  
21       severable under Section 1.31 of the Statute on Statutes.

22       Section 99. Effective date. This Act takes effect upon  
23       becoming law."